

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PERRIGO COMPANY, et al.,

Plaintiffs,

vs.

MERIAL LIMITED, doing business as  
MERIAL LLC, and MERIAL SAS,

Defendants.

8:14-CV-403

SCHEDULING ORDER

This matter is before the Court on the plaintiffs' Motion for Temporary Restraining Order and Request for Evidentiary Hearing and Oral Argument (filing [77](#)). The defendants' initial response to that motion (filing [84](#)) proposes that a hearing is unnecessary, and that the Court should resolve other pending motions first, but that if the Court decides to consider the plaintiffs' motion for a restraining order, the defendants should be permitted to respond on or before February 24, 2015.

The Court has not yet determined in what order the motions pending before it should be resolved, so the Court will direct the defendants to respond to the plaintiffs' motion for restraining order, and will permit the plaintiffs to reply. The defendants' response may refer to and rely upon the evidence that has already been filed with the Court.

However, despite the plaintiffs' request for an "evidentiary hearing," there is nothing in the plaintiffs' motion or briefing that identifies any additional evidence that such a hearing would be expected to adduce. The Court will, therefore, not set a hearing at this time. The plaintiffs should inform the Court if there is, in fact, any evidence or testimony that can only be presented at an in-court hearing.

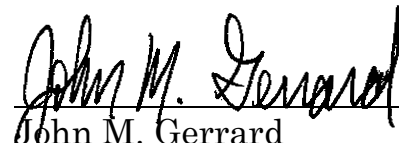
The plaintiffs have presented their motion for a restraining order as a situation demanding immediate relief. The Court is sensitive to the concerns of plaintiffs' counsel, and their clients, about the urgency of this matter. Regardless of whether a hearing is held, the Court will promptly review the record to make its own determination about whether there is a genuine threat of irreparable harm, and whether the other criteria for a restraining order or preliminary injunction are satisfied.

IT IS ORDERED:

1. The defendants may respond to the plaintiffs' motion for restraining order on or before 5 p.m. Central Time, February 24, 2015.
2. The plaintiffs may reply in support of their motion on or before 5 p.m. Central Time, February 25, 2015.
3. At this time, no hearing will be scheduled, unless, and until, the Court is advised that additional evidence will be adduced at an in-court hearing or that oral argument would be beneficial to the Court.

Dated this 18th day of February, 2015.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge